G.M - 1942

132 & 12

SL No. 21, 22, 64, 65, 67, 71, 73, 76, 77, 78, 79, 80.

Duiet Correspondence between the mining authorities & the Administrator General Regarding the dispose & ~~Xxx~~ effects & employees dyeing on the K.G.F

G. R. S. 58]

Previous references.

File No. 132-12

1912

(Confs)

Serial Nos. 21, 22, 64
65, 67, 71, 73, 75, 76
77, 78, 78a, 79, 80

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 21, 22, 64, 65, 67, 71, 73, 75 – 80.

Part B for Sept – 15.

SUBJECT.

Direct Correspondence between the mining authorities & the Administrator General regarding the disposal of effects of employees dying on the K. G. E.

To the Dy Commr. Kolar

No. 3475 dt. 13-9-15

Communicates the contents of Secret 79 abstract with the request that the mining authorities may be apprised of the same so that they may correspond direct with the Administrator General where the property involved is below Rs 1000/—

GPB—10,000—23-3-15

G.R.S. 111 1912.72

GENERAL AND REVENUE SECRETARIAT

(Genl Misc.

NOTES

G.M. File No. 3212

FILE HEADING.

Reports under S. 64 of the Administrator-Genl's Act.

From

P. J. Isaac Esq. Offg. Dy. Com. Kolar Dt.

No. Nil. Dated 28-4-13 Received 1-5-13.

Diary No. 6084 | Enclos. 1 | Spare Copies. - | Serial No. 21.

BRIEF ABSTRACT OF LETTER.

States that with a view to expedite the disposal of the properties of Employees of Gold Mining Companies dying on the Kolar Gold Fields the Secy. to the Mining Board has suggested a power of attorney being granted by the Admr. Genl of Madras to a responsible individual on the Gold fields enabling him to deal direct with the estates of such persons & adds that if the Govt. approve of this course the Secy to the M.B. will be asked to submit a fresh representation in the matter.

NOTES AND ORDERS.

As the Administrator-Genl. of Madras is stated to have approved of the ~~above~~ Course suggested being adopted and undertaken to have the matter placed before the Madras Legislative Council, a formal representation from the Secy. to the Mining

NOTES—First Sheet.

GPB—30,000—12-8-11

G. R. S. 12]

General and Revenue Secretariat. | G.R. File No 132 of 1912-13

Serial No.

Board may perhaps be obtained and forwarded to the Residency.

(2) Submd for orders with a draft rply.

M. 2.5.13. BR

(3) Please look up & note whether if the suggestion is adopted any legislation by Mysore Govt would be necessary. Please also note what the precedent procedure is. SGP 2/5

(4) Whenever a European dies leaving assets within the limits of the State the Dy. Comr. of the Dt. ~~in which~~ concerned reports the death to Govt. together with the particulars regarding the deceased required by S. 64 of the Administrator-General's Act and representations if any, from the employers of the deceased or other persons interested in the disposal of his assets. Such reports are forwarded to the Residency for necessary action, the Resident in Mysore being the Dt. Judge for the State for purposes of the Administrator-General's Act. The necessary action for the administration & disposal of such properties is taken by the Administrator-General of

× Please see G.O. No. 7953-61-J.916 dt. 14.1.1897

T

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

G.M. File No. 132 of 1912-13

Serial No.

Madras under the provisions of the Administration Guardians Act.

(5) The Dy. Com^rs letter dwells more on the inconveniences of the present arrangement than on the means suggested for removing them. It appears therefore necessary to obtain a formal representation from the Secy to the Mining Board setting forth in detail in what particulars ~~the~~ a change of procedure is considered desirable. Such a representation is likely to show whether any legislation by this ~~to~~ Govt. would be required. ~~The Secretariat is not competent.~~ The procedure suggested will perhaps necessitate an amendment of Reg. IV of 1910.

H. 3.5.13. BR

6.284

6. For the present, a non-committal reply, as the one put up for approval may be given

See 4) SPL 3/5

1st Comm^r WS 3/5

Draft altered and appd. by 1st Secy. 6.5.13

WS

WS

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

General and Revenue Secretariat.

G. M File No. 132 of 1912-13.

Serial No.

22 To. The D. C. Kolar. G. 7107 dt 9-5-13.
With reference to the above, states the Govt are not in a position, on the materials furnished by him, to give any definite opinion on the suggestion & requests him to obtain & forward a full statement of the case in order to enable the Govt to judge how far the proposals are useful & practicable.

Sy (with sdg)

9 - No reply has yet been received to the above reference. The Secy to the Mining Board is apparently anxious about the settlement of the question. If approved these papers will be filed. They have long been lying in the Suspense shelf.

K. 29/5/15 10 Issue reminder. Mean time keep up pressing orders.

11.

Draft Remr Subd
K. 27/5/14 12 Issued

Issued No. G. 9895 dt 5/6/14

Sy 64 Do letter No C.279 dated 12th Jan 1914 from the D.C. Kolar Distt

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

(G. R. S. 12)

8810

5

General and Revenue Secretariat.

G. Sec. File No. 132 of 1912-13

Serial No.

forwarding in reply to Sl 22 a copy of letter dated 21st Feb 1914 from the Secy to the K. G. F. Mining Board in the matter of the disposal of the properties of deceased employees (European) of the Gold mining companies on the fields.

13. According to existing legal provisions, letters of administration are granted to the next-of-kin of the deceased and in his absence to the Administrator General. May Branch III be asked to note on the proposal now made. The Dy. Com'rs opinion may also be invited. Dft submitted

14 Some Mem Cannot Both as suggested —

65 Letter No. G 71 dated 4th July 1914 to the D. C. Kolar Distt ——. Forwards as desired a copy of Mr K. R. Srinivasayengar's letter No. GPP 107 dated 9th May 1913 and requests to be furnished with his views on the proposal now made by the Secretary, Mining Board.

15 To Branch III for note

NOTE—Contn. sheet.

GPB—10,000—7-11-13

10/2/14

J Pers 20-14

G. R. S. 12]

General and Revenue Secretariat. | G. — File No. 13 — of 191 3-14

Serial No.

is less than 1/7000th. Section 31 & 32 of the Administrator General's Act charge apply to such cases. The Administrator General is not bound to take out letters of administration or probate (Vide S. 37), but may grant to any person a certificate entitling him to receive the assets. The procedure prescribed by the Above Ss. and the holder of such certificate will have the same powers & duties as if letters of administration had been granted to him.

SS.

13/8

To Branch V

20. Whether it would apparently be better in the mining authority to deal with the Estates under the direct control of the Administrator General & corresponding direct with such Officers as the present procedure through Darbar Officers & the Residency is slow & involves delay. Attention is drawn to the Administrator General Circular No. 7953-61 dt. 14th Jany 1897 which appears to be known in the Residency & duties of a Dist. Judge. In Act. III of 1913, this section is omitted. Further Ref

14/8/14

2/

NOTE—Contn. sheet.

To Branch VII

GPB—60,000—7-11-13

17.8.

G. R. S. 12]

General and Revenue Secretariat.

G.H. 7161

File No. 132 of 1912-13

Serial No.	
Joris 20-14	1 Copy of the Administrator Generals' Act 1874 is put up. No references are available in Br III. The file containing the G.O. may be obtained from the Gl. Records.

(48) 20/8/14 Br V)

2 Section 64 of the act of is not omitted but is now S 54 of the act of 1913.

3 S 54 ~~referred to~~ provides that the district Judge may report to the Collector charge of the property under certain circumstances mentioned in the Section

4 But S 54 does not prevent the administrator General granting a certificate under S 31 where the value of the property is below Rs 1000/-

5 Before proceeding any further it seems necessary to know what it is that the Governing Board specifically require, on what points the present law is defective & how it is intended to remedy

28
27/10

District Counsellor)

6 S. 37 is not embodied in our Regn IV of 1910. I do not

NOTE—Contn. sheet.

GPB—10,000—13-6-14

G. R. S. 12]

General and Revenue Secretariat. | G. File No. 154 of 1912-13

Serial No.

See how the Ad Genl's certificat would be any help here. What is the procedure for such cases in the Pr & Ad Regs recently introduced here? Do not those provns apply to cases in which the Adm-Genl. can interfere in Mysore?

31/8/14

27

The general principle of law in such cases is thus stated in West-lake's Private International law: 'Whatever the domicile or political nationality of the deceased, his personal property situate in England cannot be lawfully possessed, or if recoverable in England cannot be sued for, without an English grant of probate or administration'.

Is this apparently on the basis of this principle that the Mysore Regulation IV of 1910 (Emergency) was passed

NOTE—Contn. sheet.

GPB—10,000—13-6-14

[G. R. S. 12]

General and Revenue Secretariat. | G.M File No. 132 of 1912. Vol 3

Seri No

to recognise the status of the Administrator General of Madras, as an administrator for the purposes of the local law, if he takes out probate or letters of administration.

30. But long before this Regulation was passed, the state had declared the validity of the certificate granted by the Administrator General under S 36 or 37 of the Administrator General's Act 1874, in S. 4 (ii) of the Succession Certificate Regulation VII of 1901.

31. As the Sanction of the state had been given in the Succession Certificate Reg", ~~it seems to me that~~ there was an omission in Reg IV of 1910. The validity of the certificate being acquired, there may be no difficulty to recover the assets of the deceased a British Subject.

32 The Probate & administration Regulation applies to the case of every Hindu, Muhammadan, Buddhist ~~&~~ person excepted under S. 332 of the Indian Succession Act 1865 (d2) & does not seem to apply to the cases of European & British Subjects.

28

First Member) 4/9

GPB—60,000—7-11-13

G. R. S. 12]

General and Revenue Secretariat. G H File No. 132 of 1912 13

Serial No. 23 The request of the Board is not clear. If they want an arrangement by which the administrator General can appoint a deputy & dispose of all claims arising within the Gold Field area, exercising all the powers and functions of the administrator Genl of Madras, there seems to be no authority in the act to bring this about. It seems also objectionable & do such a thing. If on the other hand, it is meant that the Administrator General should be asked to issue a separate certificate in each case to the same agent resident in the Gold Field area, there is nothing in the act to prevent this being done. The certificate of the Administrator General is already recognised in the succession certificate Regn and that seems to be enough to give it Validity The Deputy Commissioner may be asked to ascertain whether the latter course is what is wanted - & whether the Board intends to suggest that any new procedure should be introduced

16/9/14

NOTE—Contn. sh

G.13—5,000—26-6-11

General and Revenue Secretariat.

File No. 132 of 1912 13

Serial No.

what is desired is permission for direct Correspondence with the Advr Genl to secure speedy Settlement of the affairs of deceased European employees of Gold Mining Companies. At present such correspondence passes through the Spl. Magistrate, the Dy. Comr, the Secrt & the Residency & the Hon'ble the Resident, as the Dt. Judge for Mysore for purposes of the Advr. Genl's Act, has certain duties to perform under S. 54 of Act III of 1913, consequently the Settlement of Cases governed by that Act without his knowledge does not appear to be admissible. It is necessary that the correspondence relating to such cases should pass through the Dy. Comr also, as he is responsible for the prompt report to the Dt. Judge of deaths of Europeans occurring within his jurisdiction & has to carry out the instructions of the Dt. Judge with regards the securing of the property left by the deceased. The only Channel of Communication that can be dispensed with is the Secrt and this can be done if the

× please see para 6 of the preamble of G.O. No. 7953-61-3 dated 14.11.1897 & G.O. No. 918 R.F. 98

GPB—30,000—15-9-14

Residency has no objection. But it is not likely to result in any appreciable saving of time.

10-11-14.

Submitted. Section 31 of the Administrator General's Act, 1913 gives power to the Administrator General to give a certificate under certain circumstances to the claimant to receive the assets due to him, provided that the assets did does not exceed one thousand rupees. But under sec this he cannot do unless he is satisfied as to the value of the assets, the title of the claimants &c. It is to enable him to do this H.T. sec. 57 of the Act provides that the a report containing the necessary information as enumerated in the sec: should be sent without delay to the Administrator General concerned. The section also states that the Dt. Judge shall retain the assets under his charge or appoint an officer under the provisions of sec: 239 of the Indian Succession Act, 1865 to receive and keep possession of the same until the Administrator General has obtained letters of Administration or

GPB—90,000—15-9-14

until some other person has obtained probate or such letters of or a certificate from the Administrator General under the provisions of this Act. It may not therefore be possible to do away with this procedure even in cases where the assets do not exceed rupees one thousand. However as the matter is one which is entirely governed by the Administrator General Act the mining Board may perhaps be informed that they have to address the Government of India in the matter

(48)

1/12/14

39 as already observed the only legal conditions essential for the grant of a certificate by the Administrator General are those mentioned in Sections 31 & 32. It is not necessary that the application of the claimant should pass through the District Judge. These sections do not conflict with the provisions of S. 54. This will [statutory] duty of the Judge to submit a report and take charge of the assets. But his possession continues only until some other person obtains a certificate when he is to hand over to the holder of such certificate. There usual information about the death and assets may be

GPB—25,000—2-11-14

J mis 137-14. 16

G. R. S. 12]

General and Revenue Secretariat

G.M. File No. 132 of 1912-13

Serial No.

Sent to the Resident through the usual channels as heretofore, but this procedure does not appear to me to preclude the Dept. of the Minr. many other person from claiming (a certificate under S 31. ~~to~~ Under S 31, it is expressly stated that, even before the lapse of a month the Administrator General may grant a certificate if he is requested by writing under the hand of the executor, widow or other person entitled to administer the estate. But he must be satisfied by the oath of the claimant or by such other evidence that the value of the property is not above Rs 1000, that the claimant is entitled.

40 The law provides about the submission of report to the District Judge, and the grant of certificate. Seems to be quite independent, and I do not see any ~~objection~~ difficulty in the matter.

EG
12-14

District Member)

41) A letter may be written to the Residency that we shall have no objn to the course proposed, provided that when the Admr. General issues any certificate. direct, a copy shd be sent to the Residency & to our Office &c. ~~I think~~ please draft—

NOTE—Contn. sheet.

GPB 25,000—2-11-14

G. R. S. 12]

General and Revenue Secretariat.

G. M. File No. 132 of 1912.

Serial No.

42) Subd. A draft letter to the Residency is herewith put up

(38) 29/1/15

43) Pl. put up a tidy draft

EB 29-1-15

44) Subd. with a tidy draft.

(38) 29/1/15

45) The draft is submitted for approval.

Attention is also respectfully invited to the letter of the 26-4-13 Managing Board Secretary. May he be asked to move the Administrator General for submitting the representation rights queries? The Administrator General's point that the Legislative Council of Madras should be moved, and that the authority must come from the Legislative Council, this appears to show that there is some difficulty in the way or that the Adm. General has not clearly understood the nature of the case (as borrowed from the next Endorsement)

EB 30/1/15

First Member)

46) If they manage to comply, we need not concern ourselves about the difficulties. The draft letter may be sent.

3/2/15

47) Issue EB 4/2/15

NOTE—Contn. sheet

GPB—25,000—2-11-14

J 3036

3632

8168

3

G. R. S. 12]

General and Revenue Secretariat. | From — File No. 132 of 191

Serial No.

48) As this draft relates to an important matter, it is submitted to Dewan before issue.

Dewan) Dewan 11/2

5448 12-2-15

49) Draft approved by Dewan. Dew 13/2

13.2.15

50) Issue today

EB 15/2/15

75 do. The H.a.Resident Ref no. 794 dt 15.2.15 takes that there is no objection to the supdt of the mining company correspond with the Advn: General in the matter & that necessary arrangements may be made if the Hon'ble the Resident sees no objection.

76. From the same officer no. 1981 dt 20.3.15 forwards a copy of the Advn: General letter in the matter & requests that the views of the Durbar regarding the proposal made therein may be furnished.

77) Subd. The Advn: General thinks that the Supdt of a mining Company does not fall within any of the categories mentioned in Sect 31 of Act III of 1913.

52) Branch III may be consulted in the matter.

Legis 30/3

KN. Kurup 29.3.15 Br. III)

Kurup 29.3

NOTE—Contn. sheet.

GPB—25,000—2-11-14

G. R. S. 12]

General and Revenue Secretariat.

G. M. File No. 132 of 1912-13

Serial No. 53).

Sirkar.

9/4/13 54) The Administrator General has no objection for direct correspondence, and consents to send a half yearly statement of every certificate issued instead of a copy of a certificate each time. But there may be no objection, but the doubt entertained by him is with regard to the question whether the Superintendent of the Mine or the Secretary of the Mining Board can be held to be an ~~interested~~ person interested in the assets of the deceased, otherwise than as a creditor within the meaning of S. 31. The ~~words "interested"~~ in words "person interested in such assets" seem to me to refer to a person entitled to a share of such assets, and a Superintendent of the Mine to may or may not be such a person. If he is not a person interested in such assets, he can not be given a certificate under S. 31. But if he is a creditor, he can get a certificate after 3 months under S. 32. If he is neither a person interested nor a creditor, then he can get a power of attorney from a person interested and apply for the necessary certificate

55) It seems to me therefore that the difficulty is not insuperable.

56) If approved, first draft will be put up calling for the opinion of the Mining Board and then a reply will be put up to the

NOTE--Contn. sheet.

GPB—25,000—22-3-13

Mis 137-14

8168

G. R. S. 12]

General and Revenue Secretariat.

G. M File No. 132 of 1912.

Serial No.

via Rendering.

Eg 10/4

57 First Member) I agree — I thought the Mining Bd had rearranged the matter with the Advt Genl. 13/4/15

14/4

58 Please put up draft

15/4

Lr 15/4

Received 19.4

59 Subd. with a draft.

KV. Lrs 20/4

20/4

60 Issue

Eg 20/4

77 Do. The Deputy Commr, Kolar Dt no. G 11982 dt 4.5.15 Intimates that the Secy to the Mining Board can get a certificate under Section 32 of the Adm: General's Act after getting a power of attorney from the persons entitled to a certificate.

Issue

78 From The Same Officer no. 469 dt 9.6.15 States that the Mining Board who were informed of the procedure to be adopted are agreeable & requests that formal authority to carry correspondence direct with the Administrator General of Madras may be granted —

NOTE—Contn. sheet.

GPB—25,000—22-3-15

G. R. S. 12]

General and Revenue Secretariat.

G. M. File No. 132 of 1912.

Serial No.

6 Subd. with a draft.
K.M. 16/6
6 The draft may be approved.
First Member

Mr. Ramachandra
2.7.

6a Did not the proposal originate on the supposition that the 'persons entitled' would not be always on the spot. If they are available why should they not ask for a certificate for themselves

6/7/15

Respectfully Submitted.

6] The main idea is to avoid the delay involved in Cases having to go up through (1) the Special Magistrate (2) the Dy. Commr (3) the General & Rev: Secretariat & (4) the First Asstt: to the Hon'ble the Resident. Hence the proposal to substitute direct Correspondence between the Mining authorities and the Administrator General.

6a There is no idea that "the persons entitled" will not be on the Spot, but even if they are, they are sometimes too poor

NOTE—Contn. sheet.

GPB—25,000—22-3-15

G. R. S. 12]

General and Revenue Secretariat. | G. M. File No. 132 of 1912-13.

Serial No.

Supposed to be not so well Versed in these matters as to be able to Secure a Speedy Settlement of their claims without the intervention of the Mining authorities these latter also claim a Sort of guardian-and-ward relationship with the former inasmuch as the deceased Employees will have Come out to India under agreement with the Companies who will Consequently have to hold themselves in a great measure responsible for their welfare. (Please see paras 4 and 5 of the Mining Board Secretary's letter of the 21st Feby 1914 to the Dy: Comr Kolar District*)

Flag N.

Hence the proposal for these authorities to act on behalf of the heirs of these Employees under a power of attorney.

First Member) Mr Hamilton

Draft appd: by First member 26.7.15.

Mr S Hoare

Mr

26/7

25

1824

G. R. S. 12]

General and Revenue Secretariat.

G.M. File No. 132 of 1912.

Serial No.

78a do. The J.a. Resident Bdl no. 147 dy 3.8.15 informs that the Durbar accept the proposals of the Admi: General in the matter & states that in case in which the Secretary to the mining Board cannot apply in either of the capacities referred to in Sections 31 & 32 of the Act, the arrangement can be made by the Supdt. getting a power of attorney from the person entitled.

79 From the Same Officer no. 5998 dy 21.8.15- Forwards copy of a letter from the Administrator General in the matter

72 This may be communicated to the Dy. Commr of Kolar Draft Subd.

K.N. Rao 27.8.15

May be approved.

First Member)

Draft appd: by First member 9.9.15

73 M.S.S

Issue

74 Issue 10/9

80 D.C. Kolar No: G3475 dy 13.9.15- Communicates the contents of Sl 79 above with the request that the existing particulars may be supplied of the same so that they may correspond direct with the Administrator-General where the property involved is below Rs 10000/-

NOTE—Contn. sheet.

GPB—25,000—30-4-15.

THE KOLAR GOLD FIELD MINING BOARD,
OORGAUM,
MYSORE STATE,
S. INDIA,

26th April 1913

Dear Mr. Downing

Adverting to our recent conversation re deceased employees' estates, I took the opportunity, whilst in Madras a few days ago, to call upon the Administrator-General, with whom I had a long talk on the subject.

I suggested, as a means of expediting the procedure, that he should grant a Power of Attorney to a responsible individual residing on the Gold Field, enabling him to deal direct with all estates, subject to rendering an account of same and paying all duties and other customary charges. The A. G. quite approved of the idea, but said the necessary authority must come from the Legislative Council of Madras. He asked me to write to him explaining fully the objects and reasons, and promised that he would submit my representations to the right quarter. I was about to do this, when it occurred to me that the proper course would be to forward my communication to him through the Mysore Government.

Do you think your Government would sanction the adoption of my suggestion? and, if so, would you kindly advise me what to do to get the matter started.

Those for whom we most especially desire to act are the next-of-kin of our employees who come out from home. The estates are invariably of small value, and, in view of this fact, the A. G.

[illegible] to our recent conversation re deceased
[illegible], I took the opportunity, whilst in Wadras a few
[illegible] Admiralty-Commissioner-General, with whom I had a
[illegible].

I [illegible], as a means of expediting the procedure,
[illegible] Secretary to a responsible individual
[illegible] Main Road, enquiring - him to deal direct with all
matters, in lieu to rendering an account of sums and paying all
bills on other customary charges. The A. G. quite approved of the
idea, but said the necessary authority must come from the Legislative
Council of Ceylon. He asked me to write to him explaining fully the
objects and reasons, and promised that he would submit my representa-
tions to the Right Hon'ble Secretary. I was about to do this, when it
occurred to me that the best plan course would be to forward my communi-
cation to him through the Ceylon Government.

Do you think your Government would sanction the
adoption of my suggestion and, if so, would you kindly advise me
what to do to get the matter started.

Those for whom we most especially desire to act are
the next-of-kin of our employees who come out from home. The natives
are invariably of small means, and, in view of this fact, the A. G.

DIARY No. 11989

19/25 1913

SECTION General

FILE No. 13212

SERIAL No. 21

Camp Mandidroog,

28th April 1913.

Hon. W. Finnemore

You no doubt are aware that for some few years past, there has been considerable delay in disposing of the estates of the European employees of the Gold Mining Companies who unfortunately die while serving their in this Country

The procedure now in vogue is unnecessarily and it happens at times that the property is not finally handed over to the heirs who are

usually poor people for a year or so after death causing a good deal of hardship.

Mr. Payne, the Secretary to the Mining Board, has recently seen the Administrator-General in Madeo on the subject, and I enclose his letter to me (which kindly return) in which he mentions the suggested procedure which may be adopted to expedite matters.

As this matter only Concerns the European employees of the mining Companies who are sent out here from England, I think the suggestion to appoint a responsible individual

on the Gold Fields to deal direct with the estates is a sound one and may well be adopted.

If Government agree with me I will ask the Secretary to the Mining Board to submit formal proposals to be sent to the Administrator-General in Madras.

Yours sincerely

J. A. Bourne

K. R. Srinivasiengar, Esqre,
Offg. Secretary to Government,
Bangalore.

G. R. S. 26]

Gen File No. 182-5

Serial No. 22

Diary No. of letter replied to

No. G. 7107

General and Revenue Secretariat

( )

, *the* 191 .

To

C. J. Bowring Esq.

Offg Dy. Comr

Kolar.

Date of issue 9-5-13

Signed by M. R. Srinivasaiengar

Dear Sir,

With reference to your letter of the 28th. ultimo regarding the means suggested by the Secy. to the Kolar Gold Field Mining Board for the speedy disposal of the properties of European employees of Gold Mining Companies dying on the Kolar Gold Fields, I am desired to state that Govt. are

P.T. over.

SUBJECT.

not in a position on the materials furnished by you to give any definite opinion on the suggestions. You may however obtain and submit any formal representation on the subject which the Secy, the Board may wish to make, for the consideration of Govt.

Yours sincerely

In fact it is difficult to make out in what manner the appointment of an agent for the Administrator General will help speedy disposal of cases and what powers can be delegated to him and under what provisions of law.

If a full statement of the case is obtained it may be easy to judge how far the proposals are useful ~~in fact~~ and practicable

List of enclosures.

1/5/13

Copied by

Examined by

GPB—25,000—8-8-11.

DEPUTY COMMISSIONER,
KOLAR DISTRICT.

DIARY No. D. 710

1913 19 14
SECTION G. Gen
FILE No. 132-12-12
SERIAL No. 64

No C. 279

Camp, Mysore, 12th June 1914.

1816

Dear Sir,

Reminder

With reference to your D. O. letter No. G. 9895 dated 5th June 1914, enquiring whether the Secretary to the Kolar Gold Fields Mining Board desires any action to be taken regarding his suggestion in the matter of the disposal of the properties of European employees of the Gold Mining Companies on the Fields, I forward for the information of Government, a copy of the communication dated 21st February last, from the Secretary, Mining Board, This could not be sent earlier, as Mr. K. R. Srinivasiengar's D. O. letter No. G. 7107/G.M. 132-12-22 dated 9th May 1913, which had been sent in original to the Secretary, Mining Board, had not been received back and is still awaited. I was thus not in a position to deal with the points raised in the letter now sent herewith. A copy of Mr. K. R. Srinivasiengar's letter quoted above may now be kindly sent to me for reference.

Yours sincerely,

K. Ramaswamy

To

T. Lakshmi Narasimha Rao, Esq. B.A.B.L.
Asst. Secretary to Government.

Letter dated 21st February 1914, from the Secretary to the Kolar Gold Field Mining Board, to the Deputy Commissioner, Kolar District.

.....

Some months ago, I corresponded with you demi-officially regarding the slowness of the procedure connected with the settlement of deceased employees' ~~xxxxxxxx~~ estates, and suggested, at the instance of the Administrator General of Madras, with whom I had jad a personal interview in the matter, that the Government of Mysore might be pleased to sanction the appointment of a Mining Officer (say, the Superintendent of the Mine by whom deceased was employed, or the Secretary to the Mining Board as the common agent of all the Mining Companies) to deal direct with all questions pertaining to such estates, and to render full accounts and remit dues and other charges to the proper authorities.

2 You were good enough to refere my suggestion to the Government, who asked to be furnished with my reasons for making it.

3 Firstly, the present procedure, under which correspondence must pass from the Mining Authorities to the Administrator General through the hands (1) the Special Magistrate (2) the Deputy Commissioner (3) the General and Revenue Secretariat and (4) the Assistant Resident in Mysore, is cumbersome and lengthy to an extent which is apparently out of all proportion to the smallness of the interests concerned. Usually from 6 to 12 months is the time occupied.

4 Secondly, I would say that in most cases the value of the ~~xxxxxxxx~~ estate is less than Rs 1,000/-; and it is obviously of importance to the next-of-kin, who in the majority of instances are not well off, that it should be settled with the least possible delay.

5 Thirdly, the estates dealt with are almost entirely those of Companies' employees who have come out to India under

agreement, and for whose welfare generally the Companies hold themselves in a ~~way~~ great measure responsible. I need scarcely state that if power were vested in the Mining authorities to deal with estates under the direct control of the Administrator General, they would take care that the interests, not only of the deceased's relatives, but of Government, are properly safeguarded.

Finally, the Administrator General informed me that he himself saw no objection to such power being granted, provided that the Mysore Government would agree thereto.

Therefore, I would respectfully ask that my suggestion may be submitted again to Government for consideration and that you, Sir, will kindly see your way to recommend its adoption.

.....

C o p y.

V. Ramaswamy

Offg. Deputy Commissioner,

Kolar District.

10

G. R. S. 26]

File No. 132-12

Serial No. 65-

Diary No. of letter replied to 8910

No. 971

General and Revenue Secretariat

( )

, the 191 .

To The Dy. Comm

Kolar Distt

Date of issue 4/7/14

for

Signed by

with refee to

B. Ramaswamigal's DO letter

No-C 279 dated 12th June 1914

I am directed to forward

herewith a copy of Mr. K. R

Srinivasa Iyengar's DO letter

No G 7104/G. Dr 132-12-22 dated

9th May 1913 in the matter of the disposal of

the properties of deceased employees

(Europeans) of the Gold over Mining

SUBJECT

Companies on the Field

I am to request you to furnish Go

with your views on the

proposal of the Kolar Mining Bo

now made by

I have

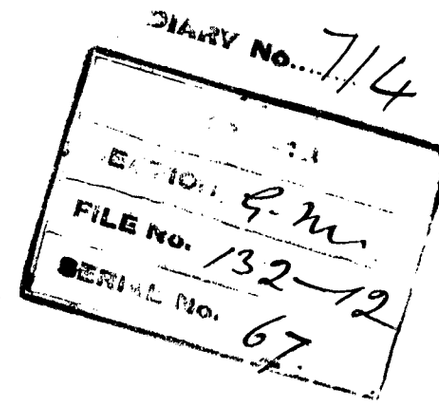
Yours obedt

1.7.14

14

OFFICE OF THE DEPUTY COMMISSIONER,
KOLAR DISTRICT,

Dated Camp Goribidnur, *the* 17th July *191* 4.



FROM

P. F. BOWRING, ESQUIRE., J. P.,
Deputy Commissioner,
Kolar District.

To

D.M. Narasinga Rao, Esquire., B.A., B.L.,
Offg. Secretary to the Government of Mysore,
General and Revenue Departments,
Bangalore.

SIR,

With reference to your letter No.G.71/G.M.132-12-65 dated the 4th instant, in regard to the disposal of the properties of deceased European employees of the Gold Mining Companies on the Fields, I have the honor to state that in my opinion the proposals outlined by the Secretary to the Kolar Gold Fields Mining Board in his letter dated 21st February 1914, copy of which was submitted with this office No.C.279 dated 12th June 1914, may well be adopted to facilitate the quick settlement of the deceased employees' estates, if the Administrator-General of Madras has no objection.

I have the honor to be,
Sir,
Your most obedient servant,

P. F. Bowring

Deputy Commissioner
Kolar District.

V Bo. 21/7

191

From

P. F. BOWRING ESQUIRE., J. P.,
Deputy Commissioner,
Kolar District.

To

The Secretary to the
Govt of H. H
The Maharaja of
Mysore
Genl & Rev Dept
Bangalore

Dated 17. 7. 14

Despatched

Received

General No. 14

No.

Enclosure No.

Subject

Submitting opinion on the proposals outlined by the Secretary, Kolar Gold fields mining Board, on the matter of the disposal of the European employes of the mining companies

G. R. S. 26]

Gen. File No. 13272.
Serial No. 71.

Diary No. of letter replied to

No. G. 3319.

General and Revenue Secretariat
( )
, *the* 191

To
The Deputy Commissioner
Kolar Dt-

Date of issue 24. 9. 16.

Signed by Mr. G. Sreenivasa Ayy

Sir,

With reference to the correspondence ending with your letter No. 14 dated the 17th. July last on the subject of the disposal of the properties of ~~the~~ European employees of the Gold Mining Companies, I am directed to state that as the assets in such cases ~~are~~ do not generally

P.T. over.

SUBJECT.

Rs 1000 in value, there appears to be nothing to prevent the Supdt. of the Mine concerned or the Secy. to the Mining Board obtaining a certificate from the Admr.-Genl. of Madras under S. 31 of the Administrator-Genl's Act III of 1913 and that such a certificate if recognised in the Mysore Succession Certificate Regulation VII of 1901, the necessary proceedings for the disposal of the property can be taken on its authority. I am to enquire whether this is what is wanted by the Mining authorities or whether they intend to suggest the introduction of any new procedure for dealing with the cases in question.

I have &c.

Sd/-
for Offg. Secy to Govt.

List of enclosures.

Copied by

Examined by

GPB—25,000—4-3-13

14

OFFICE OF THE DEPUTY COMMISSIONER,
KOLAR DISTRICT,

Dated Camp *the* ~~2nd November~~ *1914*

DIARY No. 3632

19/419/5
SECTION G.M.
FILE No. 132-12
SERIAL No. 73.

FROM

P. F. BOWRING, ESQUIRE., J. P.,
Deputy Commissioner,
Kolar District.

To

D. M. Narasinga Rao, Esquire, B.A. B.L.,
Offg. Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore.

SIR,

With reference to your letter No.G.3319--G.M.132-12-7 dated 24th September 1914 on the subject of the disposal of the properties of European employees of the Gold Mining Companies dying on the Kolar Gold Fields, I have the honor to state that the above was communicated to the Secretary to the Kolar Gold Fields Mining Board. A copy of the latter's reply dated 14th instant is herewi forwarded for your information.

I have the honor to be,
S i r,
Your most obedient servant,

Deputy Commissioner,
Kolar District.

R.T.

191

From

P. F. Bowring Esquire., J. P.,
Deputy Commissioner,
Kolar District.

To

~~The Secretary to the Govern-~~
ment of H.H. the Maharaja
~~of Mysore, Gen.&Rev. Depts~~,
Bangalore.

Dated
2-11-1914.
Despatched

Received

General No. 165
No.

Enclosure No. 1

Subject

Forwarding a copy of
letter dated 14th October,
from the Secretary, Kolar
Gold Fields mining Board
on the subject of the
disposal of the property
of European employees
of the mining Companies
dying on the Kolar Gold Fields

Letter dated 14th October 1914 from the Secretary, to the Kolar Gold Fields Mining Board, to the Deputy Commissioner, Kolar District.

Settlement of deceased Mining Employees' Estates.

I have the honor to acknowledge with thanks the receipt of your letter No.2270 dated 4th October 1914, forwarding copy of communication No.G.3319--G.M.132-12-71 of 21st September 1914 from the Secretary to the Government, General and Revenue Departments, anent the above subject.

It is observed that, as the estates of the deceased Mining Employees do not generally exceed Rs.1,000 in value, there appears to be nothing to prevent the Superintendent of the Mine concerned (or the Secretary to the Mining Board) obtaining a certificate from the Administrator-General of Madras under section 31 of the Administrator-General's Act III of 1913, and disposing of the properties on its authority. From this, it is assumed that Government are favourably disposed to sanction the Mining Companies (or the Secretary to the Mining Board) negotiating direct with the Administrator-General of Madras in the settlement of estates which do not exceed Rs.1,000 in value and if this assumption is correct, I would say that the wishes of the Mining Authorities would be obtirely met. Their main object will have been achieved viz, the shortening of the period hitherto taken up in disposing of cases where expedition is essential in the interests of next-of-kin.

"C O P Y".

Deputy Commissioner,

Kolar District.

R.T.

G. R. S. 26]

G. M. File No. 132-12

Serial No. 75

Diary No. of letter replied to

G.O. No. 794

General and Revenue Secretariat

( )

, *the* 191 .

To

The F. A. Resident in Mysore, Bangalore

Sir,

Date of issue 15-2-15

Signed by [illegible]

The Kolar Gold Fields Mining Board have for some time past been complaining of the considerable delay in administering the estates of their deceased European employees in Mysore, owing to the circuitous procedure adopted at present in such cases.

over.

SUBJECT.

It is represented that in many cases the property is not handed over to the ~~without the~~ before the lapse of next of kin ~~till~~ about a year after the death of the employee and that much hardship is caused ~~even~~ in cases in which through the property involved is small.

The Secretary of the Mining Board, after consulting the Administrator General of Madras, suggests as a remedial measure that the Superintendent of the Mining Coy concerned or the Secretary of the Mining Board be authorised to correspond direct with the Administrator General of Madras in cases where the property involved does not exceed one thousand rupees and obtain from him a certificate under section 31 of the Administrator Generals Act,

List of enclosures,

Copied by

Examined by

GPB—25,000—8-8-11.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

1913. The Administrator General of Madras is stated to be willing to agreeable to this proposal

I am further to state that the Durbar have no objection to the course proposed, provided that when the Administrator General issues any certificates direct to either the Supdt. of a Mining Coy or to the Secretary of the Mining Board copies thereof are also sent both to the Resident and to the Durbar for information.

If the Hon'ble the Resident sees no objection to this course I am to request that necessary arrangements may kindly be made with the Administrator General of Madras and the result

intimated.

I have &c.

30/1/15 Secretary to Govt

31/1/15

13.2.15.

29/1/15

GPB—15,000—13-11-11

Letter No. 436-P., dated the 12th March 1915, from the Administrator-Genral, Madras, to the First Assistant to the Hon'ble the Resident in Mysore.

I have the honour to acknowledge receipt of your letter No. 1324, dated the 23rd February 1915, with enclosure.

2. I have no objection to the proposal recommended by you that there should be direct correspondence between the Secretary of the Kolar Gold Fields Mining Board or the Superintendent of the Mining Company concerned and myself.

3. With reference to paragraph 4 of the Mysore Government's letter No.794 Pol., dated the 15th February 1915, I may point out that under section 31 of the Administrator General's Act (III of 1913), I can grant a certificate of Administration to the estate of a deceased person to such person only as is interested, otherwise than as a creditor, in the assets of the deceased or in the due administration thereof. It seems to me doubtful if the Superintendent of a Mining Company or the Secretary of the Mining Board as such will, as a general rule, fall within one or other of these categories.

4. You desire that copies of Certificates granted by me to the Superintendent of a Mining Company or the Secretary of the Mining Board should be sent to the Residency and to the Durbar for information. I suggest that it would be more convenient if I were to furnish the Residency and the Durbar every half-year with a statement in the form enclosed herewith. It seems to me that this statement will give all the necessary information. I request to be informed if my proposal is acceptable to the Residency and the Durbar and if it may be adopted.

No.

J 3036

D/D Ad 22/3

Pol No 1824 D 20-3-15

No. 1981

Mysore Resident's Office,

Bangalore, dated 20th March 1915.

A copy of the foregoing letter and its enclosure is forwarded herewith to the Government of His Highness the Maharaja of Mysore, for information, with reference to Mr. Narasinga Rao's letter No.794 Pol., dated the 5th February 1915, and with the request that the Resident may be kindly informed of the view the Durbar regarding the proposal contained in para 4 of the letter

First Assistant Resident.

CKS

DIARY No. 8768

19/2-1913

SECTION G-2

No. 13273

No. 76

Statement of Certificates of Administration granted by the Administrator General of Madras under Sec. 31 of Act III of 1913, during the half year ending $\frac{\text{30th June}}{\text{31st Dec.}}$ 191 to the estates of persons employed &c by Mining Companies in Mysore State, but now deceased.

Serial No.	Name of the deceased	Date of Death	Place of Death	Name of Co., by which the deceased was employed	Assets left by the deceased	Person to whom a Certificate has been granted	Date of grant of Certificate	Remarks
1	2	3	4	5	6	7	8	9

G. R. S. 26]

G.m File No. 13212

Serial No. 77

Diary No. of letter replied to

No. G. 11982

General and Revenue Secretariat

( )

, the 191 .

To

The Deputy Commissioner

Kolar Dt.

Date of issue 4th May 15

Signed by for G. Green Vased

Sir,

With reference to correspondence ending with your letter no. 165 B. 2-11-1914 regarding the disposal of the effects of European employees of Gold Mining Companies dying on the K. G. Fields, I am directed to state that a certificate under Section 31 of the Administrator General's Act,

over.

SUBJECT.

1913, can be obtained by a person claiming otherwise than as a creditor to be interested in the assets of the deceased or in the due administration thereof, and under Section 32 by a creditor of the deceased in the circumstances specified in that Section. In cases in which the Secretary to the Mining Board or the Superintendent of the Mine concerned cannot claim a certificate in any of these characters, ~~he can apply for a certificate, after getting power of attorney for the purpose from the person entitled to such a certificate.~~ If this procedure is acceptable to the Mining authorities they will be authorized to correspond direct with the Administrator General of Madras & arrange for the settlement of the affairs of their deceased European employee without reference to this office.

I ... to request that these facili

there may be some difficulty; but perhaps it may be surmounted by his procuring a power of attorney.

List of enclosures

Copied by

Examined i

GPB—25,000—4-3-13

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

may be communicated to the mining authorities & their views intimated to this office.

24/7/15

I have or:

20/4/ 1915: Secy

K.V.
20/4

No. 469

Office of the Deputy Commissioner,
Kolar District,
Dated, Kolar, the 9th June 1915.

From

P. F. B O T T R I N G, Esquire., J. P.,
Deputy Commissioner, Kolar District.

To

D. M. Narasinga Rao, Esquire., B. A. B. L.,
Offg. Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
B a n g a l o r e.

DIARY No. 11015

1912 1913
G. M.
No. 13212
78 A

Sir,

In reply to your letter No. G. 11,982/G. M. 132-12-77 dated 4th May 1915, I have the honor to state that the procedure to be adopted has already been intimated to the Mining Board, who have replied that this will quite meet their wishes. Their main object will then have been achieved, viz, the shortening of the period hitherto taken up in disposing of cases, where expedition is essential in the interest of the next of kin.

2. Formal authority to correspond direct with the Administrator-General of Madras may be granted.

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Kolar District.

V Rev / 11

3PB—100,000—29-7-14

191

From The Deputy Commissioner
Kolar District

To The Secretary to the Govt
of Mysore
Genl & Rev Depts
Bangalore

Dated
Despatched 9. 6. 1915.
Received

General No. 469
No.

Enclosure No.

Requesting to grant
formal authority
for the Secretary to the
Mining Board, K.G.F.,
to correspond direct
with the Administrator
General of Madras

VI

G.R.S. 26]

SUBJECT Re the procedure to be followed as to the disposal of the effects of the mining Employees

Diary No. of letter replied to

Section G.M
File No. 182-12
Serial No. 78

General and Revenue Secretariat

( )

, the 191 .

No. Rev 147

Date of issue 3.8.15

Signed by Asst. Delb. Varadiyya Rao.

To

The First Assistant,
to the Hon'ble the Resident
in Mysore

Sir,

With reference to the correspondence regarding the disposal of the effects of European employees of Gold Mining Companies dying on the K. G. Fields, I am directed to state that the Durbar accept- ~~agreeable~~ to the proposals of

over.

the Administrator General communicated with your endorsement no. 1981 dy 20th March 1915.

2. As regards the difficulty of granting certificates in cases in which the Secretary to the Mining Board or the Superintendent of the Mine concerned cannot apply in either of the capacities referred to in Sections 31 & 32 of the Administrator General's Act, I am to state that the ~~difficulty~~ Darbar appreciate the difficulty and ~~doubt~~ understand that the arrangement can be made only in those cases in which it will be in accordance with law. Perhaps in many such cases, it may be possible to the Supt or other person concerned to get a Power of attorney duly executed by any of the persons entitled.

~~to say it may be got over by in such circumstances~~ the Secretary or Superintendent ~~he can obtain a power of attorney~~ for the purpose from the person entitled to such a certificate ~~& that the difficulty pointed out can thus be avoided.~~

3. I am now to request that these above views may be communicated to the Administrator General, Madras, and the result intimated to the Durbar ~~so that~~ necessary instructions may be given to the mining authorities

List of enclosures.

Copied by

Examined by

GPI—20,000—14-2-14

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

in the matter.

I have ele

MSA
2/7.
For Hfg: Secy

24/7/15
KV.6
16/4

GPB—20,000—7-7-14

V 21/8 RW

30

Letter No.P1189, dated the 18th August 1915, from the Administrator-General, Madras, to the First Assistant to the Hon'ble the Resident in Mysore, Bangalore.

I have the honour to acknowledge the receipt of your letter No.5672, dated the 10th August 1915, with enclosure.

As regards the suggestion in paragraph 2 of letter No. 147, Pol., dated the 3rd August 1915, addressed to you by the Secretary to the Government of Mysore, I shall have no objection to grant certificate of administration, under section 31 of Act III of 1913, to the Superintendent of the mine concerned or other person, if such person produces the necessary Power of Attorney duly executed in his favour by the person or persons who would otherwise be entitled to the grant.

Pol 417/25.8.15

Secl. No. 1824

19/2/15B No. 5998.
...TION G.M
...LE No. 13212
SEC. L No. 79

Mysore Resident's Office,
Bangalore, 21/8 August 1915.

A copy of the foregoing letter is forwarded herewith to the Government of His Highness the Maharaja of Mysore, for information with reference to Mr. Narasinga Rao's letter No. 147 Pol., dated the 3rd August 1915.

a/c Cy

For First Assistant Resident.
MR

31 | 8

31

G. R. S. 26]

SUBJECT..... Direct correspondence between the mining authorities & the Govt: General regarding the disposal of the effects of employees dying on the fields.....

Diary No. of letter replied to 1824

Section G. M.
File No. 132 - 12
Serial No. 80

General and Revenue Secretariat
( )
, *the* 191

No. 6 3473 -

Date of issue 13-9

Signed by [illegible]

To

The Deputy Commissioner
Kolar Dt.

Sir,

With reference to correspondence ending with your letter no. 469 of 9th June 1915 regarding the disposal of the effects of European employees of Gold mining Companies dying on the K. G. Fields, I am directed to state that the Administrator General, Madra

over.

31/8

has no objection to grant certificates of administration under Section 31 of Act III of 1913 to the Superintendent of the Mine or the Secy of the Mining Board, if such person produces the necessary Power of Attorney duly executed in his favour by the person who would otherwise be entitled to the grant. I am therefore to request that this may be communicated to the Mining authorities with a view to their corresponding direct with the Administrator General in cases in which the property involved does not exceed Rs 1000.

2. I am however to add that this authorization does not dispense with the reports of death of Europeans or Eurasians now submitted to Govt every month & that such reports may as heretofore be made.

List of enclosures.

Copied by

Examined by

GPB—20,000—14-2-14

I have etc
Hon
30/8
for Secy

9/9/15